

record the cash advance request, evaluate current collateral information, and evaluate current credit status.”

None of Claims 1-14 of copending U.S. Patent Application No. 09/392,029 recite a method that includes operating the process management and workflow system to record the cash advance request, evaluate current collateral information, and evaluate current credit status. Accordingly, Applicant respectfully submits that Claim 1 of the present application is not coextensive in scope with any of Claims 1-14 of copending U.S. Patent Application No. 09/392,029.

Claims 2-11 depend, either directly or indirectly, from independent Claim 1, and Applicant respectfully submits that none of Claims 2-11 of the present application are coextensive in scope with any of Claims 1-14 of copending U.S. Patent Application No. 09/392,029.

Independent Claim 12 of the present application recites a system for processing cash advance requests, wherein the system comprises “a data repository, and a process management and workflow system coupled to the data repository, said process management and workflow system configured to: record a cash advance request...evaluate current collateral information... evaluate current credit status.”

None of Claims 1-14 of copending U.S. Patent Application No. 09/392,029 recite a system for processing cash advance requests, wherein the system is configured to record a cash advance request, evaluate current collateral information, and evaluate current credit status. Accordingly, Applicant respectfully submits that Claim 12 of the present application is not coextensive in scope with any of Claims 1-14 of copending U.S. Patent Application No. 09/392,029.

Claims 13-22 depend, either directly or indirectly, from independent Claim 12, and Applicant respectfully submits that none of Claims 13-22 of the present application are coextensive in scope with any of Claims 1-14 of copending U.S. Patent Application No. 09/392,028.

For at least the reasons given above, Applicants respectfully request that the double patenting rejection of Claims 1-14 be withdrawn.

The rejection of Claims 1-4 and 12-15 under 35 U.S.C. § 103 as being unpatentable over Highbloom (U.S. Patent 5,323,315) in view of Hogan (U.S. Pat. App. Pub. No. 2001/0013545 A1) is respectfully traversed.

Highbloom describes a system (10) for monitoring the status of individual items of personal property which serve as collateral for securing financing. System (10) is bidirectionally connected to a plurality of first financing sources and second financing sources by communication links (11) and (15) respectively. Financing information transmitted by the inventory financing source (12) and the consumer financing sources (14) is received by the processor (16). The financing information received includes information that pertains to a floor plan credit loan or a consumer loan being extended, or the receipt of money which is paid for the repayment of a particular loan. The financing information is analyzed by the monitoring system to track the prompt repayment of a loan, to note any delinquent payments, and to determine if a particular item is simultaneously being financed by two financing sources.

Hogan describes a financial transaction card payment system (interchange). Using the interchange, the computers of the merchant bank or the merchant processor communicate with the computers of the issuer to determine whether the consumer's account is in good standing and whether the purchase is covered by the consumer's available credit line. Based on these determinations, the request for authorization will be declined or accepted. Hogan also describes a method which includes using the application program to determine whether the payment is less

than the installment loan balance. The application program also processes a cash advance against the credit balance that is equal to a difference between the payment and the installment loan balance.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Highbloom according to the teachings of Hogan. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Rather, the present Section 103 rejection appears to be based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Highbloom is cited for its teaching of a system for monitoring the status of individual items of personal property which serve as collateral for securing financing, and that financial information can be received by a processor wherein the financial information includes a floor plan credit loan. Hogan is cited for its teaching that an application program can process a cash advance. Since there is no teaching or suggestion in the cited art for the claimed combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Further, and to the extent understood, neither Highbloom nor Hogan, alone or in combination, describe or suggest the claimed combination, and as such, the presently pending claims are patentably distinguishable from the cited combination. Specifically, Claim 1 recites a method for processing cash advance requests using a process management and workflow system coupled to a data repository, upon receipt of a cash advance request by the process management and workflow system, wherein the method comprises "operating the process management and

workflow system to record the cash advance request, evaluate current collateral information, and evaluate current credit status.”

Neither Highbloom nor Hogan, considered alone or in combination, describe or suggest a method for processing cash advance requests using a process management and workflow system coupled to a data repository, upon receipt of a cash advance request by the process management and workflow system, wherein the method includes operating the process management and workflow system to record the cash advance request, evaluating current collateral information, and evaluating current credit status. Specifically, neither Highbloom nor Hogan, considered alone or in combination, describe a method which includes evaluating current collateral information. Rather, in contrast to the present invention, Highbloom describes monitoring the status of individual items of personal property which serve as collateral, and Hogan describes a method for determining whether a payment is less than the installment loan balance, and processing a cash advance against the credit balance that is equal to the difference between the payment and the installment loan balance. For the reasons set forth above, Claim 1 is submitted to be patentable over Highbloom in view of Hogan.

Claims 2-4 depend, directly or indirectly, from independent Claim 1 which is submitted to be in condition for allowance. When the recitations of Claims 2-4 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-4 are also patentable over Highbloom in view of Hogan.

Claim 12 recites a system for processing cash advance requests, wherein the system comprises “a data repository, and a process management and workflow system coupled to said data repository, said process management and workflow system configured to: record a cash advance request...evaluate current collateral information...evaluate current credit status.”

Neither Highbloom nor Hogan, considered alone or in combination, describe or suggest a system for processing cash advance requests wherein the system includes a data repository, and a

process management and workflow system coupled to the data repository, wherein the process management and workflow system is configured to record a cash advance request, evaluate current collateral information, and evaluate current credit status. Specifically, neither Highbloom nor Hogan, considered alone or in combination, describe a system configured to evaluate current collateral information. Rather, in contrast to the present invention, Highbloom describes a system for monitoring the status of individual items of personal property which serve as collateral, and Hogan describes a system for determining whether a payment is less than the installment loan balance, and processing a cash advance against the credit balance that is equal to the difference between the payment and the installment loan balance. For the reasons set forth above, Claim 12 is submitted to be patentable over Highbloom in view of Hogan.

Claims 13-15 depend, directly or indirectly, from independent Claim 12 which is submitted to be in condition for allowance. When the recitations of Claims 13-15 are considered in combination with the recitations of Claim 12, Applicants submit that dependent Claims 13-15 are also patentable over Highbloom in view of Hogan.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-4 and 12-15 be withdrawn.

The rejection of Claims 5-11 and 13-22 under 35 U.S.C. § 103 as being unpatentable over Highbloom (U.S. Patent 5,323,315) in view of Hogan (U.S. Pat. App. Pub. No. 2001/0013545 A1) and further in view of DeFrancesco et al. (U.S. Pat. No. 5,878,403) is respectfully traversed.

Highbloom and Hogan are described above. DeFrancesco et al. describe an invention to provide secure access to a credit application and routing system, thus facilitating multiple levels of security. DeFrancesco et al. further describe that the invention triggers a decision rule and displays a corresponding "alert" message when a credit application includes information which the system has been programmed to identify as requiring investigation prior to the approval of the transaction. Additionally, an overview screen can be accessed which summarizes

information about an applicant, co-applicant (if applicable), credit bureau, and collateral, for example. Automotive Collateral information is entered on the screen shown in FIG. 3J, Finance Information is entered using the screen illustrated in FIG. 3K, and additional information ("Comments") is entered on the screen illustrated in FIG. 3L. After all of these portions of an application are filled in, the user would return to the main menu, as shown in FIG. 3M.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Highbloom according to the teachings of Hogan and DeFrancesco et al. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Rather, the present Section 103 rejection appears to be based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically Highbloom is cited for its teaching of a system for monitoring the status of individual items of personal property which serve as collateral for securing financing, and that financial information can be received by a processor wherein the financial information includes a floor plan credit loan, Hogan is cited for its teaching that an application program can process a cash advance, and DeFrancesco et al. are cited for their teaching of an invention that triggers a decision rule and displays a corresponding alert message when a credit application includes information which the system has been programmed to identify as requiring investigation prior to the approval of the transaction. Since there is no teaching or suggestion in the cited art for the claimed combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Further, and to the extent understood, none of Highbloom, Hogan, or DeFrancesco et al., considered alone or in combination, describe or suggest the claimed combination, and as such, the presently pending claims are patentably distinguishable from the cited combination. Specifically, Claims 5-11, depend, directly or indirectly, from independent Claim 1 which recites a method for processing cash advance requests using a process management and workflow system coupled to a data repository, upon receipt of a cash advance request by the process management and workflow system, wherein the method comprises “operating the process management and workflow system to record the cash advance request, evaluate current collateral information, and evaluate current credit status.”

None of Highbloom, Hogan, nor DeFrancesco et al., considered alone or in combination, describe or suggest a method for processing cash advance requests using a process management and workflow system coupled to a data repository, upon receipt of a cash advance request by the process management and workflow system, wherein the method includes operating the process management and workflow system to record the cash advance request, evaluating current collateral information, and evaluating current credit status. Specifically, none of Highbloom, Hogan, nor DeFrancesco et al., considered alone or in combination, describe a method which includes evaluating current collateral information. Rather, in contrast to the present invention, Highbloom describes monitoring the status of individual items of personal property which serve as collateral, Hogan describes a method for determining by the application program whether the payment is less than the installment loan balance, and processing by the application program a cash advance against the credit balance equal to the difference between the payment and the installment loan balance, and DeFrancesco et al. describe an alert message is triggered when a credit application includes information which the system has been programmed to identify as requiring investigation prior to the approval of the transaction. For the reasons set forth above, Claim 1 is submitted to be patentable over Highbloom in view of Hogan and further in view of DeFrancesco et al.

Claims 5-11 depend, directly or indirectly, from independent Claim 1 which is submitted to be in condition for allowance. When the recitations of Claims 5-11 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 5-11 are also patentable over Highbloom in view of Hogan and further in view of DeFrancesco et al.

Claims 16-22 depend, directly or indirectly from independent Claim 12 which recites a system for processing cash advance requests, wherein the system comprises “a data repository...a process management and workflow system coupled to said data repository, said process management and workflow system configured to: record a cash advance request... evaluate current collateral information...evaluate current credit status.”

None of Highbloom, Hogan, nor DeFrancesco et al., considered alone or in combination, describe or suggest a system for processing cash advance requests wherein the system includes a data repository, and a process management and workflow system coupled to the data repository, wherein the process management and workflow system is configured to record a cash advance request; evaluate current collateral information; and evaluate current credit status. Specifically, none of Highbloom, Hogan, nor DeFrancesco et al., considered alone or in combination, describe a system configured to evaluate current collateral information. Rather, in contrast to the present invention, Highbloom describes a system for monitoring the status of individual items of personal property which serve as collateral, Hogan describes a system for determining whether the payment is less than the installment loan balance, and processing a cash advance against the credit balance that is equal to the difference between the payment and the installment loan balance, and DeFrancesco et al. describe an invention that triggers a decision rule and displays a corresponding alert message when a credit application includes information which the system has been programmed to identify as requiring investigation prior to the approval of the transaction. For the reasons set forth above, Claim 12 is submitted to be patentable over Highbloom in view of Hogan and further in view of DeFrancesco et al.

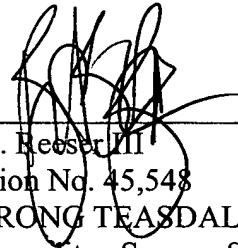
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Claims 16-22 depend, directly or indirectly, from independent Claim 12 which is submitted to be in condition for allowance. When the recitations of Claims 16-22 are considered in combination with the recitations of Claim 12, Applicants submit that dependent Claims 16-22 are also patentable over Highbloom in view of Hogan and further in view of DeFrancesco et al.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 5-11 and 16-22 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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